

## REMARKS

Applicant has filed with this amendment a new specification and drawings as a continuation of co-pending parent application 10/183,741. Claims 1-102 of the parent application have previously been allowed. New claims 1-66 are presented in the continuation application. No new matter is introduced in the specification, claims, or drawings filed herewith.

Claims 103-114 of the *parent* application were rejected under 35 U.S.C. § 102(b) as being anticipated by “Coal Age Operating Handbook of Underground Mining.” The Office Action stated that the “apparatus claimed in claims 103-114 is conventional mining equipment, as seen in the Coal Age reference.” Although the newly filed claims of the continuation application are different from those claims 103-114 of the parent application, Applicant has reviewed the reference cited in the Office Action and has been unable to find all of the elements of claims 103-114. The cited reference teaches conventional shortwall and longwall mining techniques and briefly discusses a West Virginia mining experiment that used shortwall concepts for contour mining. No mention is made of *means for forming a surface in the highwall generally perpendicular to a desired direction of mining the mineral reserve to create an insertion highwall between opposing endwalls of the highwall extending therefrom*. Other limitations of the parent claims 103-114 are similarly not taught by the cited reference. Applicant respectfully submits that all of the pending claims in the newly filed continuation are allowable over the Coal Age reference.

Applicant respectfully requests favorable consideration and allowance of the newly filed claims of the continuation application. In the event that the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned attorney to further prosecution of the application.

Respectfully submitted,

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